

**SMALL BUSINESS COMMISSION
DRAFT MEETING MINUTES**

Monday, November 14, 2022
4:30 P.M.

City Hall, Room 400
1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

SMALL BUSINESS COMMISSIONERS

Sharky Laguana, President;
Miriam Zouzounis, Vice-President;
Tiffany Carter, Lawanda Dickerson; Rachel Herbert; Cynthia Huie; William Ortiz-Cartagena;

1. Call to order and roll call

Meeting called to order at 4:30pm.

Present: Dickerson, Herbert, Laguana, Ortiz-Cartagena, Zouzounis

Absent: Carter, Huie

2. Approval of Legacy Business Registry Applications and Resolutions (Discussion and Action Item)

Richard Kurylo, Legacy Business Program Manager presented the following Legacy Business Registry applications:

- a. Black and Blue Tattoo (Application No.: [LBR-2022-23-010](#))
- b. The Condor (Application No.: [LBR-2019-20-036](#))
- c. New Lun Ting Café (Application No.: [LBR-2016-17-057](#))
- d. Royal Bakery (Application No.: [LBR-2022-23-016](#))

Public comment:

- Name unknown - Condor is the flagship of Broadway
- Dr. Alice Sluntnik- reviewed research on adult entertainment, noting that dance was frequently stigmatized
- Joe Koruba – owner, Condor Club. In 1976 he opened a small donut shop and has been doing business in SF since. He noted that giving back to the community is important; Condor started the BECA – Broadway Entertainment Cultural Association that turned into the North Beach CBD. The Condor changed the industry.
- Adesa – owner, Black and Blue Tattoo, proud to be one of the first female owned tattoo shops.
- Jack Nelson – Oakland resident. Patron in support.
- Warren Chia – Condor was the first Gentleman’s Club he went to. Supports its nomination.
- Name unknown – dancer at the Condor. Discussed how the job supported their mental health and allowed for travel.
- Joey Feldorman – noted that entertainers, bartenders, vendors are all here in support. People care about the Condor.
- Mark, General Manager, Condor – the Condor is like if Cheers were a strip club.
- Mel Florez – Excelsior Action Group. Supportive of the Royal Bakery, which struggled during COVID.
- Steven Ma – his mom runs New Lun Ting Cafe; his grandpa built the restaurant as a bachelor café and now it’s a family place.

Commissioner comments:

President Laguana made opening remarks about the qualifications to become a Legacy Business, noting that the Commission's role is to be a champion to small business and is a positive governing body. In response to concerns that one Historic Preservation Commissioner noted regarding the Condor Club, he reminded the public that other agencies do regulatory checks and enforcement, not SBC. SBC supports small businesses that meet the qualifications to become a Legacy Business, and the Condor Club meets all those.

Ortiz-Cartagena – Thanked the businesses for coming. He knew Carol Dota back in the day, and the Condor has always served as a place to decompress. He noted that the Royal Bakery started under Italian ownership and now its run by Latinos. Black and Blue Tattoo has been in the neighborhood long before it gentrified.

Dickerson – Noted that she now wants to go to the Condor. Acknowledged the hard work of Black and Blue Tattoo, as a woman owned business in an all-male industry.

Zouzounis – Congratulations. It's great to see so many family and multi-generational businesses.

Herbert- This is a feel good evening

Laguana- Thanks for all the culture you've given SF. Struck by how many people came out today and spoke.

3. BOS File Num. 220971 Planning Code - Gates, Railings, and Grillwork Exceptions for Cannabis Retail Uses and Existing Non-Residential Uses (Discussion and Action Item)

Jeff Buckley, Legislative Aide to Supervisor Safai presented an ordinance amending the Planning Code to exempt certain existing gates, railings, and grillwork at Non-Residential uses from transparency requirements, subject to the provisions for noncomplying structures, and exempt Cannabis Retail uses from transparency requirements for gates, railings, and grillwork for a three-year period. He noted this should take away crimes of opportunity. Businesses will have to remove gates when they close down permanently, and they have to leave the gates open during business hours.

Ortiz-Cartagena – This is common sense

Zouzounis – What about businesses with window coverings or signs that may block the windows? This requirement applies when the business is closed- businesses must be transparent during open hours.

Herbert- Cannabis businesses are big targets for vadalis. They need this.

Laguana – what's the conversation with Fire Dept. Like? They had concerns about access but agreed they could cut down material to get in. Being able to visually see smoke is helpful. Why the focus on cannabis? Perception is that they are high cash industries because federal rules prevent them from using banking services. What happens after 3 years? Businesses will need to get a permit within three year period. As long as the permit is in place, the gate can stay. How can we ensure if City wants to revisit the look/feel of a neighborhood, they could revise? A clause preserving optionality would be good.

Dickerson – Interior opaque gates are permitted differently than exterior gates.

Ortiz-Cartagena – would this be harder to pass if the ordinance included new businesses as well as existing? Yes. Motion to support with recommendation to include new businesses and preserve optionality to change rules moving forward: Laguana

2nd: Dickerson

Aye: Dickerson, Herbert, Laguana, Ortiz-Cartagena, Zouzounis

Absent: Carter, Huie

Motion passes

4. Shared Spaces Program Update (Discussion Item)

Robin Abad, Shared Spacces Program Manager, gave an update on the Shared Spaces Program, including updated information on the transition from the pandemic program to the legislated program. He noted that 500 applications for the legislated program have been submitted. They have an ongoing Shared Spaces Heroes campaign to highlight successful operators. The deadline for applications to the legislated program was pushed back to allow businesses more time to prepare. Compliance grants are still available to help applicants make

modifications to their spaces. He also noted that site plans submitted with the permit application do not need to be prepared by an architect. They can be hand drawn, which should simplify the application process.

Commissioner Comments:

Herbert – Asked about the airflow requirement. CDPH requires airflow because at the onset of COVID-19 that was crucial. Now it's not as big of a concern so it shouldn't be a requirement. Mr. Abad noted that after speaking with CDPH, airflow is no longer a requirement. Visibility above 42 inches is still required, and SFFD will need to sign off on that. Commissioner Herbert also noted that the fees are prohibitive.

Director Tang - Thanked the team for extending the application deadline. She requested that the Manual be updated to reflect current airflow rules. She also asked for clarification about the ADA seating requirements if a business has Sidewalk seating and a parklet. Would an ADA compliant table need to be in both? Gregory Slocum, DPW, clarified that yes, each Shared Spaces Permit (sidewalk seating, parklet, etc) needs to have an ADA compliant area.

Laguana – Asked about requirements regarding propane heaters – is there a limit to how many one can have? Mr. Abad noted that open flames cannot be under any sort of roof or awning but he'd need to check with fire about the quantity permitted. Laguana thanked the whole team for their work in making this program happen. How many compliance advisories have gone out? Has every operator been reached? Mr. Abad said that ¾ of operators have received their advisories. The team is working on making it available by request.

Ortiz-Cartagena – great work. Regarding fee waivers, is there a reason \$2 million in gross receipts is the cutoff? That's very low for a restaurant. Laguana asked if we could do another grant program to support. Mr. Abad said that the current grant program has the capacity to help 1/3 operators.

Laguana – could the manual be broken into sections depending on what type of Shared Space you want?

Herbert – An annual license is \$4,000. A lot of people won't want to keep their two spaces if the costs are so high. Mr. Abad noted that the fees are based on cost recovery, and they know the money is challenging.

Laguana asked if anyone has requested a movable parklet, which costs much less. 1 movable parklet application has been submitted.

Ortiz-Cartagena – how will the parklets be permitted in areas where there are parades or events?

Public comment:

Laurie Thomas, Golden Gate Restaurant Association – thanks for the Jan 15th extension. Wanted to clarify airflow requirements, follow up on the questions about propane heaters, and loves the idea that a business can request a copy of their own compliance advisory.

5. Approval of Draft Meeting Minutes (Discussion and Action Item)

Motion to approve the October 24, 2022 draft meeting minutes – Herbert

2nd - Dickerson

Aye: Dickerson, Herbert, Laguana, Zouzounis

Absent: Carter, Huie, Ortiz-Cartagena

Motion passes

6. General Public Comment (Discussion Item)

Anonymous caller: Calling about the Castro Theatre, which was brought before the SBC by President Laguana for support. Two months later, the Castro Merchants Association voted unanimously to not accept Another Planet Entertainment's proposal. Earlier you spoke about the importance of the Condor Club as a hub for LGBTQ events – it's important to note the Castro is a vital part of the queer community in the Castro. You should put a resolution on the next meeting or one after to support the landmarking of the Castro Theater. That would reflect community input. It's unfair to the community to only deal with Another Planet Entertainment.

7. Director's Report (Discussion Item)

Announcements: non 11/28 mtg. Shop Dine SF will launch to drive people to local events. 12/6 local holiday popup. Mayor Breed visited West Portal – Sup. Melgar announced they will be getting community ambassadors. FYF was extended one year with expanded eligibility. Sup. Stefani is waiving permit fees for holiday sidewalk sales. OSB did a merchant walk with Commissioner Huie in Visitacion Valley last week.

8. Commissioner Discussion and New Business (Discussion Item)

Ortiz-Cartagena – CLECHA worked with OEWD to do an activation at BART plazas in the Mission – an event with SF Lowrider. Lots of positive energy.

Dickerson – Shout out to Kelly and Ken at Mission Blue in Visitacion Valley. Bayview has gotten some new restaurants/stores: Lucky's, Beauty Bar, What's the Scoop ice cream store.

9. Adjournment